

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DEBORAH D. PETERSON,  
Personal Representative of the Estate  
Of James C. Knipple (Dec). et al.

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN, *et al.*,

Defendants.

CITIBANK, N.A.,

Third-Party Plaintiffs,

v.

JAMES OWENS, *et al.*,

Third-Party Defendants.

Case No. 10-Civ-4518 (BSJ) (GWG)

(Civil Action Nos. 01-2094 (RCL) and  
01-2684 (RCL) (D.D.C.))

**DECLARATION OF DAVID B.  
MISLER IS SUPPORT OF MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT**

I, DAVID B. MISLER, an attorney admitted to practice law *pro hac vice* in this Court,  
declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am associate with the law firm of DLA Piper LLP (US), and I am counsel for the  
following parties (collectively referred to as the "Heisers"):

(1) the Estate of Michael Heiser, deceased; (2) Gary Heiser; (3) Francis Heiser;  
(4) the Estate of Leland Timothy Haun, deceased; (5) Ibis S. Haun; (6) Milagritos  
Perez-Dalis; (7) Senator Haun; (8) the Estate of Justin R. Wood, deceased; (9)  
Richard W. Wood; (10) Kathleen M. Wood; (11) Shawn M. Wood; (12) the  
Estate of Earl F. Cartrette, Jr., deceased; (13) Denise M. Eichstaedt; (14) Anthony  
W. Cartrette; (15) Lewis W. Cartrette; (16) the Estate of Brian McVeigh,  
deceased; (17) Sandra M. Wetmore; (18) James V. Wetmore; (19) the Estate of  
Millard D. Campbell, deceased; (20) Marie R. Campbell; (21) Bessie A.  
Campbell; (22) the Estate of Kevin J. Johnson, deceased; (23) Shyrl L. Johnson;

(24) Che G. Colson; (25) Kevin Johnson, a minor, by his legal guardian Shyrl L. Johnson; (26) Nicholas A. Johnson, a minor, by his legal guardian Shyrl L. Johnson; (27) Laura E. Johnson; (28) Bruce Johnson; (29) the Estate of Joseph E. Rimkus, deceased; (30) Bridget Brooks; (31) James R. Rimkus; (32) Anne M. Rimkus; (33) the Estate of Brent E. Marthaler, deceased; (34) Katie L. Marthaler; (35) Sharon Marthaler; (36) Herman C. Marthaler III; (37) Matthew Marthaler; (38) Kirk Marthaler; (39) the Estate of Thanh Van Nguyen, deceased; (40) Christopher R. Nguyen; (41) the Estate of Joshua E. Woody, deceased; (42) Dawn Woody; (43) Bernadine R. Beekman; (44) George M. Beekman; (45) Tracy M. Smith; (46) Jonica L. Woody; (47) Timothy Woody; (48) the Estate of Peter J. Morgera, deceased; (49) Michael Morgera; (50) Thomas Morgera; (51) the Estate of Kendall Kitson, Jr., deceased; (52) Nancy R. Kitson; (53) Kendall K. Kitson; (54) Steve K. Kitson; (55) Nancy A. Kitson; (56) the Estate of Christopher Adams, deceased; (57) Catherine Adams; (58) John E. Adams; (59) Patrick D. Adams; (60) Michael T. Adams; (61) Daniel Adams; (62) Mary Young; (63) Elizabeth Wolf; (64) William Adams; (65) the Estate of Christopher Lester, deceased; (66) Cecil H. Lester; (67) Judy Lester; (68) Cecil H. Lester, Jr.; (69) Jessica F. Lester; (70) the Estate of Jeremy A. Taylor, deceased; (71) Lawrence E. Taylor; (72) Vickie L. Taylor; (73) Starlina D. Taylor; (74) the Estate of Patrick P. Fennig, deceased; (75) Thaddeus C. Fennig; (76) Catherine Fennig; (77) Paul D. Fennig; and (78) Mark Fennig.

2. I am admitted to practice before this Court *pro hac vice* in this matter. I make this declaration in support of the Judgment Creditors' Motion for Partial Summary Judgment (the "Motion") filed by the Heisers and the rest of the judgment creditors in the above-referenced matter.

3. On December 22, 2006, the United States District Court for the District of Columbia entered a Default Judgment against the Islamic Republic of Iran, the Iranian Ministry of Information & Security ("MOIS"), and the Iranian Revolutionary Guard Corps ("IRGC") (collectively, "Iran"), jointly and severally, in the consolidated actions styled *Heiser v. Islamic Republic of Iran*, 00-cv-2329 (D.D.C.) (RCL) and *Campbell v. Islamic Republic of Iran*, 01-cv-2104 (D.D.C.) (RCL), awarding economic and compensatory damages totaling \$254,431,903.00 (the "December 2006 Judgment"). Attached as Exhibit 1 to this declaration is a true and correct

copy of the December 2006 Judgment from the United States District Court for the District of Columbia, which is a public record.

4. On September 30, 2009, the United States District Court for the District of Columbia entered a supplemental judgment awarding additional damages in the amount of \$336,658,063.00 against Iran (the "September 2009 Judgment," together with the December 2006 Judgment, the "Judgment"). Attached as Exhibit 2 to this declaration is a true and correct copy of the September 2009 Judgment, which is a public record.

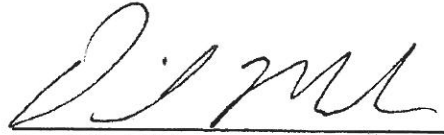
5. The Judgment was entered under 28 U.S.C. § 1605A and remains unsatisfied in the amount of \$591,089,966.00, plus post-judgment interest at the legal rate, against Iran.

6. On September 8, 2008, the Heisers registered the December 2006 Judgment with this Court pursuant to 28 U.S.C. § 1963, under case number M18-302, judgment number 08,1562. Attached as Exhibit 3 to this declaration is a true and correct copy of the December 2006 Judgment as registered with this Court, which is a public record.

7. In addition, on December 6, 2010, the Heisers registered the September 2009 Judgment with this Court pursuant to 28 U.S.C. § 1963 under case number 10-MC-00005, judgment number 10,2146. Attached as Exhibit 4 to this declaration is a true and correct copy of the September 2009 Judgment as registered with this Court, which is a public record.

8. Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the foregoing is true and correct.

Dated: Baltimore, Maryland  
March 30, 2012

A handwritten signature in black ink, appearing to read "D. B. Misler", written over a horizontal line.

David B. Misler  
DLA PIPER LLP (US)  
6225 Smith Avenue  
Baltimore, MD 21209  
Telephone: 410-580-4047  
Facsimile: 410-580-3047  
david.misler@dlapiper.com